

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DIONTAE JOHAN DUNCAN,

Plaintiff,

v.

CALIFORNIA HEALTHCARE
RECEIVERSHIP CORP., et al.,

Defendants.

Case No. 1:20-cv-01288-AWI-SKO (PC)

**ORDER DENYING PLAINTIFF'S
MOTIONS FOR MISCELLANEOUS
RELIEF**

(Docs. 10, 16)

Plaintiff is a state prisoner appearing *pro se* and *in forma pauperis*, and his complaint is subject to screening pursuant to 28 U.S.C. § 1915A. The Court has not yet screened the complaint, and no defendants have been served with process or appeared in this action.

On October 5, 2020, Plaintiff filed a motion for default judgment. (Doc. 11.) The undersigned issued findings and recommendations to deny the motion as premature. (Doc. 18.) District Judge Ishii adopted the findings and recommendations on December 3, 2020. (Doc. 23.)

On October 19, 2020, Plaintiff filed a motion requesting that the Court and opposing parties respond to his motion for default judgment. (Doc. 16.) Because the motion for default judgment has already been denied, the Court DENIES as MOOT Plaintiff's motion for a response from the Court and opposing parties.

Plaintiff has also filed a document titled, "Motion for Stipulation Requesting Shorting [sic] of Time." (Doc. 10.) It is unclear for what Plaintiff seeks the shortening of time, or on what

1 grounds. In any event, there are no pending motions that require a response from the non-moving
2 parties. As explained in the Court's findings and recommendations to deny Plaintiff's motion for
3 default judgment (Doc. 18), no defendants have been served with a summons or the complaint in
4 this action, and Plaintiff may not proceed with this case until the Court has screened his
5 complaint. Accordingly, the Court DENIES Plaintiff's motion for the shortening of time.

6
7 IT IS SO ORDERED.

8 Dated: **December 4, 2020**

/s/ *Sheila K. Oberto*
UNITED STATES MAGISTRATE JUDGE